Exhibit G

Case 2:18-cv-00064 Document 41-3 Filed on 04/01/19 in TXSD Page 2 of 36



Corpus Christi Police Department

321 John Sartain St. Corpus Christi, TX 78401 (361) 886-2840

CRIMINAL TRESPASS WARNING

YOU ARE HEREBY PROHIBITED FROM ENTERING, REMAINING UPON, OR RE-ENTERING THE PROPERTY OR PROPERTIES LISTED BELOW. ANY VIOLATION OF THIS WARNING NOTICE WILL BE CONSIDERED A CRIMINAL TRESPASS PROHIBITED BY SECTION 30.05 OF THE TEXAS PENAL CODE AND WILL SUBJECT YOU TO ARREST AND CRIMINAL CHARGES. UPON CONVICTION YOU MAY BE FINED UP TO \$2,000 AND SENTENCED TO JAIL FOR UP TO 180 DAYS. PLEASE ACT ACCORDINGLY.

LOCATION: 613 Elizabeth st			_ ALL LOCATIONS
DATE WARNED: 12-27-16		TIME: 1253	
WARNING ISSUED TO: Breen Billy	Theran		
WARNING ISSUED TO: Breen, Billy ADDRESS: 13944	(17178	416	
RACE: \underline{W} SEX: $\underline{\mathcal{M}}$ HAIR: $\underline{\mathcal{B}}$ $\underline{\mathcal{R}}$ $\underline{\mathcal{O}}$	EYES: BRO	HEIGHT:	WEIGHT:
DOB: SIGNATURE:	Rotusan		
WARNING ISSUED BY: Den of Marian			
BUSINESS REPRESENTATIVE: Spith Shore			
AUTHORITY: Standard	TELEPHONE #:		
AUTHORITY: SIGNATURE:	CCPI	O CASE #:	
0 /			
OFFICER AT SCENE:		_ PAYROLL ID #:	
OFFICER AT SCENE:		_ PAYROLL ID #:	
COMMENTS:			
COMMENTS.			

BG000033

Exhibit H

EEOC Form 5 (11/09)										
CHARGE OF DISCRIMINATION	Charge F	Presented To: A	gency(ies) Charge No(s):							
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		FEPA EEOC	451-2018-00897							
Texas Workforce Commissi	on Civil Rights	Division	and EEOC							
State or local Age										
Name (indicate Mr., Ms., Mrs.)		Home Phone	Year of Birth							
Mr. Billy T Green			1964							
Street Address City, State St., CORPUS, TX 78418	and ZIP Code									
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Con Against Me or Others. (If more than two, list under PARTICULARS below.)	nmittee, or State or L	ocal Government Agency T	hat I Believe Discriminated							
Name		Na. Employees, Members	Phone No.							
CHRISTUS HEALTH		501+	469-282-2330							
Street Address City, State 919 Hidden Ridge, IRVING, TX 75038	and ZIP Code									
Name		No. Employees, Members	Phone No.							
Street Address City, State	and ZIP Code									
DISCRIMINATION BASED ON (Check appropriate box(es).)		DATE(S) DISCRIMIN	NATION TOOK PLACE Latest							
RACE COLOR SEX RELIGION NATIONAL ORIGIN 06-01-2016 12-15-2016 RETALIATION AGE X DISABILITY GENETIC INFORMATION										
OTHER (Specify)		X co	DNTINUING ACTION							
THE PARTICULARS ARE: (If additional paper is needed, attach extra sheet(s)): I was employed with Christus Health from on or about June 2013 to on or about December 15, 2016, as a Pharmacist Informaticist. I was discharged on December 15, 2016, and I believe it was based on my disability.										
In March 2016, June 2016, and again in December 2016, I asked my supervisor, Erica Chapa, Department Supervisor, for an ergonomic chair based on my disability. Ms. Chapa suggested I swap my chair out with other chairs available in the department. The other chairs in the department were also not suitable for my disability, and Ms. Chapa made no other effort to provide me an accommodation. I also requested to work remotely based on my disability, however I was again denied an accommodation.										
I was ultimately discharged on or about December 15, 2016, after I was written up three times for issues related to my accommodation needs.										
I believe I was discriminated against based on my disability, in violation of the Americans with Disabilities Act of 1990, as amended.										
I want this charge filed with both the EEOC and the State or local Agency, if any. I will	NOTARY - When you	essary for State and Local Ager	ncv Requirements							
I want this charge filed with both the EEOC and the State or local Agency, it any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.										
I declare under penalty of perjury that the above is true and correct.		dge, information and belief	narge and that it is true to the							
Digitally signed by Billy Green on 01-02-2018 05:46 PM EST	SUBSCRIBED AND SW (month. day, year)	ORN TO BEFORE ME THIS DATI	E							

CP Enclosure with EEOC Form 5 (11/09)

PRIVACY ACT STATEMENT: Under the Privacy Act of 1974, Pub. Law 93-579, authority to request personal data and its uses are:

- 1. FORM NUMBER/TITLE/DATE. EEOC Form 5, Charge of Discrimination (11/09).
- 2. AUTHORITY. 42 U.S.C. 2000e-5(b), 29 U.S.C. 211, 29 U.S.C. 626, 42 U.S.C. 12117, 42 U.S.C. 2000ff-6.
- 3. PRINCIPAL PURPOSES. The purposes of a charge, taken on this form or otherwise reduced to writing (whether later recorded on this form or not) are, as applicable under the EEOC anti-discrimination statutes (EEOC statutes), to preserve private suit rights under the EEOC statutes, to invoke the EEOC's jurisdiction and, where dual-filing or referral arrangements exist, to begin state or local proceedings.
- 4. ROUTINE USES. This form is used to provide facts that may establish the existence of matters covered by the EEOC statutes (and as applicable, other federal, state or local laws). Information given will be used by staff to guide its mediation and investigation efforts and, as applicable, to determine, conciliate and litigate claims of unlawful discrimination. This form may be presented to or disclosed to other federal, state or local agencies as appropriate or necessary in carrying out EEOC's functions. A copy of this charge will ordinarily be sent to the respondent organization against which the charge is made.
- 5. WHETHER DISCLOSURE IS MANDATORY; EFFECT OF NOT GIVING INFORMATION. Charges must be reduced to writing and should identify the charging and responding parties and the actions or policies complained of. Without a written charge, EEOC will ordinarily not act on the complaint. Charges under Title VII, the ADA or GINA must be sworn to or affirmed (either by using this form or by presenting a notarized statement or unsworn declaration under penalty of perjury); charges under the ADEA should ordinarily be signed. Charges may be clarified or amplified later by amendment. It is not mandatory that this form be used to make a charge.

NOTICE OF RIGHT TO REQUEST SUBSTANTIAL WEIGHT REVIEW

Charges filed at a state or local Fair Employment Practices Agency (FEPA) that dual-files charges with EEOC will ordinarily be handled first by the FEPA. Some charges filed at EEOC may also be first handled by a FEPA under worksharing agreements. You will be told which agency will handle your charge. When the FEPA is the first to handle the charge, it will notify you of its final resolution of the matter. Then, if you wish EEOC to give Substantial Weight Review to the FEPA's final findings, you must ask us in writing to do so within 15 days of your receipt of its findings. Otherwise, we will ordinarily adopt the FEPA's finding and close our file on the charge.

NOTICE OF NON-RETALIATION REQUIREMENTS

Please notify EEOC or the state or local agency where you filed your charge if retaliation is taken against you or others who oppose discrimination or cooperate in any investigation or lawsuit concerning this charge. Under Section 704(a) of Title VII, Section 4(d) of the ADEA, Section 503(a) of the ADA and Section 207(f) of GINA, it is unlawful for an *employer* to discriminate against present or former employees or job applicants, for an *employment agency* to discriminate against anyone, or for a *union* to discriminate against its members or membership applicants, because they have opposed any practice made unlawful by the statutes, or because they have made a charge, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under the laws. The Equal Pay Act has similar provisions and Section 503(b) of the ADA prohibits coercion, intimidation, threats or interference with anyone for exercising or enjoying, or aiding or encouraging others in their exercise or enjoyment of, rights under the Act.

Exhibit I

EEOC	Form 161	(11/16)	U.S. EQUAL E	MPLOYMENT OPPORTUNIT	Y COMMISSION				
			Dismis	SAL AND NOTICE OF	- Rights				
To:		T. Green	n, Jr. sti, TX 78418	From:	San Antonio Field Offic 5410 Fredericksburg R Suite 200 San Antonio, TX 78229	d			
[On behalf of person(s) aggrieve CONFIDENTIAL (29 CFR §160						
EEO	C Charg	e No.	EEOC Repr	esentative		Telephone No.			
451	-2018-	00897	Angelica Investiga	•		(210) 281-2519			
THE	EEO	C IS CLO	OSING ITS FILE ON THIS C	HARGE FOR THE FOLLO	WING REASON:				
l		The fac	ts alleged in the charge fail to s	tate a claim under any of the s	tatutes enforced by the EEC	OC.			
[Your all	legations did not involve a disab	ility as defined by the America	ns With Disabilities Act.	e salah s			
[The Re	spondent employs less than the	required number of employee	es or is not otherwise covere	d by the statutes.			
{	X		harge was not timely filed wit ination to file your charge	h EEOC; in other words, y	ou waited too long after th	ne date(s) of the alleged			
[The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude information obtained establishes violations of the statutes. This does not certify that the respondent is in compliar the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.								
[The EE	OC has adopted the findings of	the state or local fair employn	nent practices agency that in	vestigated this charge.			
[Other (i	briefly state)		•				
				NOTICE OF SUIT RIGHT additional information attached to					
Disc You i lawsi lost.	rimina may fil uit mus (The ti	ition in l e a laws st be file ime limit	Icans with Disabilities Act, Employment Act: This will be uit against the respondent(s ad <u>WITHIN 90 DAYS</u> of you for filing suit based on a clair	pe the only notice of dismis) under federal law based or r receipt of this notice; or	sal and of your right to su on this charge in federal o r your right to sue based o	ie that we will send you. or state court. Your			
Equa alleg	al Pay ed EP/	Act (EP. 4 underp	A): EPA suits must be filed in payment. This means that bat may not be collectible.	n federal or state court with ckpay due for any violation	in 2 years (3 years for will ons that occurred <u>more t</u>	ful violations) of the than 2 years (3 years)			
				On behalf of the Comi					
				Travi & Nic.		1/10/2018			

Travis G. Hicks, Director

Kimberly K. Webb Deputy General Counsel CHRISTUS HEALTH 919 Hidden Ridge Irving, TX 75038 cc:

Enclosures(s)

(Date Mailed)

Exhibit J

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS CORPUS CHRISTI DIVISION

BILLY T. GREEN, Plaintiff, CIVIL ACTION NO. 2:18-CV-00064 V. CHRISTUS SPOHN HEALTH SYSTEM CORPORATION, d/b/a CHRISTUS SPOHN HOSPITAL CORPUS CHRISTI,

TEXAS BUSINESS RECORDS AFFIDAVIT

STATE OF NORTH CAROLINA 8 COUNTY OF MECKLEN BURG

Defendant.

BEFORE ME, the undersigned authority, on this day personally appeared Peter Miller who, being duly sworn, deposed as follows:

"My name is Peter Miller. I am over eighteen (18) years of age, of sound mind, capable of making this Affidavit and personally acquainted with the facts herein stated. I am Director of STD/Absence Claims with Lincoln Financial Group f/k/a Liberty Life Assurance Company of Boston ("Liberty"). Effective June 16, 2013, Liberty entered into an Administrative Services Only Agreement with CHRISTUS Health, under which it administers certain benefit plans for employees of CHRISTUS Health, including Short Term Disability and Family and Medical Leave ("Leave Administration").

I am familiar with the records maintained by Liberty in connection with its Leave Administration for CHRISTUS Health, and I am a custodian of those records. These records are kept by Liberty in the regular course of its business of Leave Administration for CHRISTUS Health.

Liberty conducted a thorough search of its files and records for all records pertaining to Billy T. Green, SSN xxx-xx- True, correct and complete copies of all documents relating to Mr. Green identified through this search are being produced with this Affidavit, Bates labeled L0001-L0041.

These documents are kept by Liberty in the regular course of its business, and the records were made at or near the time of the events depicted or described therein. The records designated herein are the original or exact duplicates of the originals."

Male Male** Male**

PETER MILLER (Custodian of Records)

Director of STD/Absence Claims

Lincoln Financial Group f/k/a Liberty Life

Assurance Company of Boston

SUBSCRIBED AND SWORN TO BEFORE ME, the undersigned authority, on the day of March, 2019.

(SEAL)

Notary Public, State of Rentucky South Carolina

Printed Name

My commission expires: 3-29-22

ANNA A BOVENDER Notary Public-State of South Carolina My Commission Expires March 28, 2022

Note Report		Marie Communication of the second	MINA YANINI ANYAN YANINI MARIANI MARIA	NOVALUOS ANARONA) INCONTRACIONA DE LA CONTRACIONA DE LA CONTRACIONA DE LA CONTRACIONA DE LA CONTRACIONA DE LA C	**************************************	**************************************	MANAGEMENT AND THE PARTY OF THE	************************************	******************************
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<u>Tasks</u>		*****************************			**************************************				
Claim							Pri	mary Sort Order	Sec
* Claim/E	/ent/Leave	Number 3	908269		Accommodation	on Number		Note Type	•
Note typ	e:							Note Number	
							•	Note Date/Time	ı
								Accm. No.	

02/19/2019 11:40 AM - PHONE Note 2

Claim/Event/Leave: 3908269 NoteSubject : Called EE

Other Subject : RC

Text: [02/19/2019 - HITSELBERGER, DANIEL]DCM RC, NO ANSWER, "VERIZON CUSTOMER UNAVAILABLE". DCM UNABLE TO LEAVE VM

02/19/2019 11:38 AM - PHONE Note 1

Claim/Event/Leave: 3908269 NoteSubject : EE Called Other Subject: VM 2/15

Text: [02/19/2019 - HITSELBERGER, DANIEL]EE CALLED LEFT VM ADV NEED PPWK FROM CLAIM SENT, DCM WILL RC

02/15/2019 12:00 PM - LEAVE Note 1

Claim/Event/Leave: 3908269 NoteSubject: FMLA

Other Subject:

Text: [02/15/2019 - MELTON, CHERYL] EE REQUESTED A COPY OF HIS DENIAL LETTER...EMAILED EE PER EE

REQUEST. TRANSFERRED TO STD FOR ASSISTANCE WITH STD CLAIM

12/04/2017 11:27 AM - CLAIM Note 8

Claim/Event/Leave: 3908269 NoteSubject: Other Other Subject: AUTHOR FORM

Text: [12/04/2017 - HITSELBERGER, DANIEL]ADDED TO DOC LIST. NO ACTION NEEDED, CLAIM DENIED, EE TERMINATED ON

12/16/16

11/30/2017 8:39 AM - CLAIM Note 7

Claim/Event/Leave: 3908269 NoteSubject : LTR to EE Other Subject : DENIAL

Text: [11/30/2017 - HITSELBERGER, DANIEL]LETTER SENT EE TERMINATED 12/16/16

11/29/2017 12:52 PM - CLAIM Note 6

Claim/Event/Leave: 3908269 NoteSubject : FMLA

Other Subject : LEAVE END

Text: THIS LEAVE WAS DENIED FOR EMPLOYMENT TERMINATED

11/29/2017 9:59 AM - CLAIM Note 5

Claim/Event/Leave: 3908269

NoteSubject: VOID Other Subject : DATA ERROR

Text: [11/29/2017 - HITSELBERGER, DANIEL]EE WAS TERMINATED ON 12/16/16. DCM WILL VOID FOR DATA ERROR

11/29/2017 9:58 AM - CLAIM Note 4

Claim/Event/Leave; 3908269 NoteSubject: Other

Other Subject : TERMINATION

Text: [11/29/2017 - HITSELBERGER, DANIEL]GOOD MORNING; ASSOCIATE BILLY T GREEN HAS BEEN TERMED 12/16/2016. I

DID NOT COMPLETE ELIGIBILITY FORM. THANK YOU, YVONNE ****FROM ER ADDED TO DOC LIST

11/29/2017 9:50 AM - CLAIM Note 3

Claim/Event/Leave: 3908269

посебирјест, пппаг шти у

Other Subject:

Text: [11/29/2017 - BLANCHETTE, JACOB]RCVD NOTICE THAT EE WAS TERMINATED 12/16/2016[11/29/2017 - BLANCHETTE, JACOB]CLAIM ASSIGNED IN PROCESS DUE TO EE NOT FOUND IN ELIG -- PLEASE VERIFY[11/29/2017 - BLANCHETTE, JACOB] PLEASE VERIFY DOH -- ENTERED DEFAULT DATE

11/27/2017 6:28 PM - CLAIM Note 1

Claim/Event/Leave: 3908269 NoteSubject : Telephonic Intake

Other Subject: REPORTED CLAIM NOTE

Text: G WEESNER HE DID NOT WANT TO TELL ME THE DISABILITIES HE HAD HIS INFO DID NOT PULL UP WHEN I ENTERED THE SOCIAL ERTW UNKNOWN AS OF RIGHT NOW

11/27/2017 6:28 PM - CLAIM Note 2

Claim/Event/Leave: 3908269 NoteSubject: Telephonic Intake

Other Subject : MEDICAL CONDITION Text: THREE DIFFERENT DISABILITIES

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nin Notes Claim Class Correspond Doc List Medical S	PELL Letters	······································	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	
laim Number 3908269 Claim Last Updated 11/29	9/2017 Printed On	2/26/2019		
Claimant Information Name BILLY GREEN	SSN	XXX-XX-	Birth Date	
Address	Salary Amou	,	Mode	CHILDRICAL
	Date of Hire	01/13/1965	unup .	
والمستقد المارة والمستقد المستقد والمستقد والمست	Last Work Da	te 12/16/2016		
SOPERTON, GA 30457-0000	Federal Tax		State Tax	***************************************
Phone Phone	Phys Demand	ds Sedentary	omio	
JobDesc				
Claim Status Denled Status Reason Co	ntractual Denial/Other	Received Date 111	/27/2017	
Disability Date 12/17/2016 Close Date 12/	/17/2016	Reopen Date		
Sick Days Left Max Ben Date	urkanana kansama kansama	RTW FT / PT		
Ben Begin Date	19920: E11941-90194 (1992-9) AV 2012-319	Gross Ben \$		
Diagnosis 1 Code/Desc 000 UNKNOWN Co	ONDITION OR PROCE	DURE	######################################	
Diagnosis 2 Code/Desc	mionumuniohusustassin ki nsuusisi nsin saasi loi	erna erna sakara saka karan ang karan ang kerap	eranten artenen er en en en er e	KUNTANTAN PERENCENTANTAN PERENCEN
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Selected Benefits				
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Case 2:18-cv-00064 Document 41-3 Filed on 04/01/19 in TXSD Page 14 of 36

Liberty Life Assurance Company of Boston Group Benefits Disability Claims P.O. Box 7207 London, KY 40742-7207

MR. BILLY GREEN

SOPERTON GA 30457



Liberty Life Assurance Company of Boston Group Benefits Disability Claims P.O. Box 7207 London, KY 40742-7207 Phone No.: (800) 291-0112 Secure Fax No.: (603) 334-7120

December 1, 2017

Mr. Billy Green

SOPERTON, GA 30457

RE:

Short Term Disability (STD) Benefits

Christus Health
Claim #: 3908269

Dear Mr. Billy Green:

Liberty Life Assurance Company of Boston ("Liberty") is responsible for managing claims for Short Term Disability (STD) benefits under Christus Health's Group Disability Plan. We are writing in reference to your claim for STD benefits under the Plan.

Based on the information received, your claim has been denied and no benefits are payable.

The Plan contains the following provision regarding termination of coverage:

WHEN DO STD BENEFIT PAYMENTS END?

An STD Program Participant will not be (or will no longer be) eligible to receive STD Benefits on the earliest to occur of the dates set forth below, and, if an STD Program Participant is receiving STD Benefits on account of a Disability on such date, payment of those STD Benefits will stop, or, if an STD Program Participant is scheduled to begin receiving (or continue to receive) STD Benefits on such date, those STD Benefits will not be paid:

The date the STD Program Participant terminates employment with CHRISTUS.

Since your date of disability is December 17, 2016 and you were terminated on December 16, 2016, we are unable to approve your claim.

Please be advised that you may still be eligible for Long Term Disability Benefits. To determine if you are eligible for these benefits or with questions on next steps, please contact your Case Manager at Liberty Mutual. Liberty Mutual will provide you a time frame that you will need to follow up to file your claim for Long Term Disability benefits if you remain disabled.

This claim determination reflects an evaluation of the claim facts and the Plan provisions. We

reserve the right to make a determination on any additional information that may be submitted.

Under the Employee Retirement Income Security Act of 1974 (ERISA), you may request a review of this denial by writing to the address below:

The Liberty Life Assurance Company of Boston
Disability Claims
P.O. Box 7207
London, KY 40742-7207

The written request for review must be sent within 180 days from the date of this letter and state the reasons you feel your claim should not have been denied. In your request for review please include the following documentation:

Proof that your employment was not terminated on December 16, 2016.

You should also provide any additional information that you feel will support your claim.

You may request to review pertinent claim file documents upon which the denial of benefits was based. If Liberty Life does not receive your written request for review within 180 days from the date of this notice, our claim decision will be final, your file will remain closed, and no further review will be conducted.

Under normal circumstances, you will be notified of the final decision within 45 days from the date your request is received.

If special circumstances cause a delay in our decision, you will be notified of the final decision no later than 90 days from the date your request is received.

Nothing in this letter should be construed as a waiver of any rights and defenses under the above captioned Plan, and all of these rights and defenses are reserved to the company, whether or not they are specifically mentioned herein.

If you have any questions regarding this matter, please contact me.

Sincerely,

Daniel Hitselberger Disabil Claims Case Mgr I

Phone No.: (800) 291-0112 Ext. 13977

Secure Fax No.: (603) 334-7120

n0285007

From:

Blanchette, Jacob

Sent:

Wednesday, November 29, 2017 9:54:07 AM

To:

Hitselberger, Daniel

Subject:

FW: Liberty Mutual Eligibility Forms - CORP Region (11.28.2017)

Attachments:

image001.jpg

Good morning,

Please advise below.

Thank you

~Jake

Jacob Blanchette

Screening and Creation Unity/Liberty Mutual Benefit Claims - Claims Support

Liberty Life Assurance Company of Boston

100 Liberty Way Dover, NH 03820

Seat Number: 03F-R672

Jacob.Blanchette@LibertyMutual.com

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From: Green, Joscelin

Sent: Wednesday, November 29, 2017 9:23 AM

To: Blanchette, Jacob < Jacob.Blanchette@LibertyMutual.com>

Subject: FW: Liberty Mutual Eligibility Forms - CORP Region (11.28.2017)

Importance: High

Good morning Jacob,

Christus has advised that Billy Green (claim # 3908269) has been terminated. Pleased see thread for additional information.

Thanks!

Kind regards,

Joscelin M. Green, AIC

SBU System Support Analyst II

Liberty Mutual Benefits Technology Services

Liberty Mutual Insurance

P.O. Box 7208, London, KY 40742-7208

Direct Dial: 704-759-7812

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From: Herrera, Yvonne [mailto:yvonne.herrera2@christushealth.org]

Sent: Wednesday, November 29, 2017 9:10 AM

To: Green, Joscelin < JOSCELIN.GREEN@LibertyMutual.com>;
I_CH.Corp.HR.STDLeave < CH.Corp.HR.STDLeave@christushealth.org>
Cc: Horton, Terena D. < terena.horton@christushealth.org>; Burns, Diedra < diedra.burns@christushealth.org>; I_CH.Corp.HR.STDLeave < CH.Corp.HR.STDLeave@christushealth.org>

Subject: RE: Liberty Mutual Eligibility Forms – CORP Region (11.28.2017)

Importance: High

Good Morning;

Associate Billy T Green has been Termed 12/16/2016. I did not complete eligibility form.

Thank you,

Yvonne

From: Green, Joscelin [mailto:JOSCELIN.GREEN@LibertyMutual.com]

Sent: Tuesday, November 28, 2017 6:02 AM

To: !_CH.Corp.HR.STDLeave < <u>CH.Corp.HR.STDLeave@christushealth.org</u>> **Cc:** Horton, Terena D. < <u>terena.horton@christushealth.org</u>>; Herrera, Yvonne

<yvonne.herrera2@christushealth.org>

Subject: Liberty Mutual Eligibility Forms - CORP Region (11.28.2017)

Good Morning,

Please find the eligibility form(s) for the CORP region attached.

Thank You,

Joscelin M. Green, AIC

SBU System Support Analyst II

Liberty Mutual Benefits Technology Services

Liberty Mutual Insurance

P.O. Box 7208, London, KY 40742-7208

Direct Dial: 704-759-7812

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Liberty Life Assurance Company of Boston Group Benefits Disability Claims P.O. Box 7207 London, KY 40742-7207 Phone No.: (800) 291-0112 Secure Fax No.: (603) 334-7120

December 1, 2017

Mr. Billy Green

SOPERTON, GA 30457

RE: Short Term Disability (STD) Benefits

Christus Health Claim #: 3908269

Dear Mr. Billy Green:

Liberty Life Assurance Company of Boston ("Liberty") is responsible for managing claims for Short Term Disability (STD) benefits under Christus Health's Group Disability Plan. We are writing in reference to your claim for STD benefits under the Plan.

Based on the information received, your claim has been denied and no benefits are payable.

The Plan contains the following provision regarding termination of coverage:

WHEN DO STD BENEFIT PAYMENTS END?

An STD Program Participant will not be (or will no longer be) eligible to receive STD Benefits on the earliest to occur of the dates set forth below, and, if an STD Program Participant is receiving STD Benefits on account of a Disability on such date, payment of those STD Benefits will stop, or, if an STD Program Participant is scheduled to begin receiving (or continue to receive) STD Benefits on such date, those STD Benefits will not be paid:

The date the STD Program Participant terminates employment with CHRISTUS.

Since your date of disability is December 17, 2016 and you were terminated on December 16, 2016, we are unable to approve your claim.

Please be advised that you may still be eligible for Long Term Disability Benefits. To determine if you are eligible for these benefits or with questions on next steps, please contact your Case Manager at Liberty Mutual. Liberty Mutual will provide you a time frame that you will need to follow up to file your claim for Long Term Disability benefits if you remain disabled.

This claim determination reflects an evaluation of the claim facts and the Plan provisions. We

reserve the right to make a determination on any additional information that may be submitted.

Under the Employee Retirement Income Security Act of 1974 (ERISA), you may request a review of this denial by writing to the address below:

> The Liberty Life Assurance Company of Boston **Disability Claims** P.O. Box 7207 London, KY 40742-7207

The written request for review must be sent within 180 days from the date of this letter and state the reasons you feel your claim should not have been denied. In your request for review please include the following documentation:

Proof that your employment was not terminated on December 16, 2016.

You should also provide any additional information that you feel will support your claim.

You may request to review pertinent claim file documents upon which the denial of benefits was based. If Liberty Life does not receive your written request for review within 180 days from the date of this notice, our claim decision will be final, your file will remain closed, and no further review will be conducted.

Under normal circumstances, you will be notified of the final decision within 45 days from the date your request is received.

If special circumstances cause a delay in our decision, you will be notified of the final decision no later than 90 days from the date your request is received.

Nothing in this letter should be construed as a waiver of any rights and defenses under the above captioned Plan, and all of these rights and defenses are reserved to the company, whether or not they are specifically mentioned herein.

If you have any questions regarding this matter, please contact me.

Sincerely,

Daniel Hitselberger Disabil Claims Case Mgr I

Phone No.: (800) 291-0112 Ext. 13977

Secure Fax No.: (603) 334-7120

Case 2:18-cv-00064 Document 41-3 Filed on 04/01/19 in TXSD Page 23 of 36 *000172*

LIBERTY LIFE ASSURANCE COMPANY OF BOSTON GROUP BENEFITS DISABILITY CLAIMS P.O. BOX 7207 LONDON, KY 40742-7207

MR. BILLY GREEN

SOPERTON GA 30457

NIXIE 300 DE 1270 0012/14/17

RETURN TO SENDER INSUFFICIENT ADDRESS UNABLE TO FORWARD

400000010002000001000172172



CORPUS CHRISTI PAIN MEDICINE

3825 SOUTH PADRE ISLAND DRIVE

COPRUS CHRISTI, TX 78415

PH. (361)225-0089 FAX (361)225-0082

PERMISSION TO RELEASE MEDICAL INFORMATION

Billy Green give permission to Corpus Christi Pain Medicine to relea
any medical information in my medical chart to Liberty Mutual
l understand that this information is kept confidential by Corpus Christi Pain Medicine, but by signing
this release I give my authorization to share such information with
Facility/Physician/Person(s): Liberty Mutnal
Phone Number: (800) 291 - 0112
Fax Number: (603) 334-0380
**
Patient Signature: Bill 7-Ayl Ra
Patient Date of Birth:
Printed Name:
Pate: 11-27-2017

Claim Number: 3988269

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02/15/2019 12:00 PM - PHONE Note 1

Claim/Event/Leave: 7728458 NoteSubject : EE Called

Other Subject:

Text: [02/15/2019 - MELTON, CHERYL] EE REQUESTED A COPY OF HIS DENIAL LETTER...EMAILED EE PER EE REQUEST..TRANSF

ASSISTANCE WITH STD CLAIM

01/18/2019 12:28 PM - LEAVE Note 5

Claim/Event/Leave: 7728458

NoteSubject: FMLA

Other Subject:

Text: [01/18/2019 - ALLEN, ANDI] FROM: BILLY GREEN MAILTO:BGREEN99@ATT.NET SENT: TUESDAY, NOVEMBER 28, 2017 8:29 A LMLEAVEADMIN@LIBERTYMUTUAL.COM SUBJECT: FMLA REQUEST 7728458 10/28/2017 BILLY T. GREEN ST.CORF 78418 BGREEN99@ATT.NET LIBERTY MUTUALLMLEAVEADMIN@LIBERTYMUTUAL.COM DEAR SIR OR MADAM, PLE YOU, ANDI ALLEN SENIOR LEAVE SPECIALIST LINCOLN FINANCIAL GROUP P.O. BOX 7208 LINCOLN, KY 40742 866-630-9320 LINC FOLLOW US ON:

04/26/2018 11:00 AM - LEAVE Note 4

Claim/Event/Leave: 7728458

NoteSubject: FMLA Other Subject:

Text: [04/26/2018 - ALLEN, ANDI] FROM: BROOKS, CATRINA MAILTO:CATRINA.BROOKS2@CHRISTUSHEALTH.ORG SENT: WEDNES 10:06 AM TO: LMLEAVEADMIN <LMLEAVEADMIN@LIBERTYMUTUAL.COM> CC: MELLON, ELIZABETH <ELIZABETH.MELLON@CHRI SUBJECT: BILLY GREEN-LEAVE OF ABSENCE IMPORTANCE: HIGH GOOD MORNING, WILL YOU PLEASE FORWARD ANY LEAVE C RELATED TO THE LEAVE CLAIM FOR BILLY GREEN IN 2016. PLEASE SEE THE BELOW. THANKS. CATRINA BROOKS BENEFITS LE ********GOOD AFTERNOON, PLEASE SEE ATTACHED. REMEMBER TO VISIT MYLIBERTYCONNECTION.COM FOR IMMEDIATE EMPLOYEES BENEFIT INFORMATION. IF YOU HAVE ADDITIONAL QUESTIONS CALL US AT 866-630-9320, OR EMAIL LMLEAVEADMIN@LIBERTYMUTUAL.COM. REGARDS, ANDI ALLEN SENIOR LEAVE SPECIALIST

04/25/2018 1:23 PM - LEAVE Note 3

Claim/Event/Leave: 7728458

NoteSubject: FMLA

Other Subject : LMLEAVEADMIN

Text: [04/25/2018 - SAYABATHA, NETHSANOCK] FROM: BROOKS, CATRINA MAILTO:CATRINA.BROOKS2@CHRISTUSHEALTH.ORG APRIL 25, 2018 10:09 AM TO: SAYABATHA, NETHSANOCK <NETHSANOCK.SAYABATHA@LIBERTYMUTUAL.COM> CC: JACOBS, SC <SOPHIA.JACOBS@CHRISTUSHEALTH.ORG> SUBJECT: FW: BILLY T. GREEN IMPORTANCE: HIGH GOOD MORNING, WILL YOU PI LEAVE CORRESPONDENCE FOR BILLY GREEN? PLEASE SEE THE BELOW EMAIL FROM LEGAL. THANKS.[04/25/2018 - SAYABATI

SAYABATHA, NETHSANOCK SENT: WEDNESDAY, APRIL 25, 2018 1:23 PMTO: 'BROOKS, CATRINA' <CATRINA.BROOKS2@CHRISTI 'JACOBS, SOPHIA' <SOPHIA.JACOBS@CHRISTUSHEALTH.ORG> SUBJECT: RE: BILLY T. GREEN HELLO, PLEASE SEE ATTACHED TO BILLY GREEN AT BGREEN99@ATT.NET.

11/29/2017 12:52 PM - LEAVE Note 2

Claim/Event/Leave; 7728458

NoteSubject : Leave End

Other Subject: SYSTEM GENERATED

Text: THIS LEAVE WAS DENIED FOR EMPLOYMENT TERMINATED

11/28/2017 7:01 AM - LEAVE Note 1

Claim/Event/Leave: 7728458

NoteSubject : FMLA

OUITEI SUDJECT : MISSING EE STATE
Text: [11/28/2017 - FRENCH, JACOB] MISSING EMPLOYMENT STATE TASK - UPDATE EMPLOYMENT STATE TO DOMICILE STATE--

Employee Name: Mr. BILLY GREEN Employer Name: Christus Health

Correspondence Type: Continuous Leave Denial

Leave ID No.: 7728458



Purpose of Letter

We are writing to inform you that your request for a leave of absence due to your own medical condition has been denied because we do not have a record of active employment for you from your employer.

Please note: You may qualify for a Personal Leave under CHRISTUS' absence policy. If your leave request qualifies for a Personal Leave you will receive additional information from Liberty Mutual regarding this benefit.

Please contact Liberty Mutual Leave Services if you have any questions.

Sincerely,

DANIEL HITSELBERGER

Disability Claims Department

Office Phone: (800) 283-0823 Ext. 13977

Office Fax: (603) 334-7120

Attachments: FMLA Rights

CC: Christus Health
Catrina Brooks
Yvonne Herrera
Terena Horton
Rhonda Holyfield



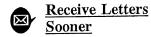


24/7 Updates

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- View leave entitlements, time available, used, and remaining
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- Download forms and educational resources

First-time users: Register by creating a user login and password using company code: Christus



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By Email: LMLeaveAdmin@LibertyMutual.com

By Phone: (800) 283-0823

By Fax: (603) 334-7120

Write us:
Liberty Life Assurance Company Of
Boston
Leave Services
P.O. Box 8700
Dover, NH 03821-8700

Employee Name: Mr. BILLY GREEN Employer Name: Christus Health

Correspondence Type: Continuous Leave Denial

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LMLeaveAdmin@LibertyMutual.com

By Phone: (800) 283-0823

By Fax: (603) 334-7120

Write us:

Liberty Life Assurance Company Of Boston Leave Services P.O. Box 8700 Dover, NH 03821-8700

Your Rights and Responsibilities Under the FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 Weeks of unpaid, job protected leave to "eligible" employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job

Military Family Leave Entitlement

Eligible employees with a spouse, son, daughter, or parent is on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12 month period. A covered servicemember is (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.*

*The FMLA definitions of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".

Benefits and Protection:

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1250 hours over the previous 12 months*, and if at least 50 employees are employed by the employer within 75 miles.

*Special hours of service eligibility requirements apply to airline flight crew employees.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. Subject to certain conditions, the continuing treatment requirements may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or

incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatments so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures. Employees must provide sufficient information for the employer to determine if the leave may qualify or FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions; the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employee's rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice, Regulation 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional Information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627 WWW.WAGEHOUR.DOL.GOV

WH Publication 1420 Revised February 2013

Employee Name: Mr. BILLY GREEN Employer Name: Christus Health

Correspondence Type: Continuous Leave Denial

Leave ID No.: 7728458



Purpose of Letter

We are writing to inform you that your request for a leave of absence due to your own medical condition has been denied because we do not have a record of active employment for you from your employer.

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Please contact Liberty Mutual Leave Services if you have any questions.

Sincerely,

DANIEL HITSELBERGER

Disability Claims Department

Office Phone: (800) 283-0823 Ext. 13977

Office Fax: (603) 334-7120

Attachments: FMLA Rights

CC: Christus Health
Catrina Brooks
Yvonne Herrera
Terena Horton
Rhonda Holyfield





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Contact Us

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By Fax: (603) 334-7120

Write us:

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Write us: Liberty Life Assurance Company Of Boston Leave Services P.O. Box 8700 Dover, NH 03821-8700

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- Access contact information
- Download forms and educational resources

First-time users: Register by creating a user login and password using company code: Christus



Receive Letters Sooner

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Contact Us

By Email:

LMLeaveAdmin@LibertyMutual.com

By Phone: (800) 283-0823

By Fax: (603) 334-7120

Write us:

Liberty Life Assurance Company Of Boston Leave Services P.O. Box 8700 Dover, NH 03821-8700